

1-1 By: Lucio S.B. No. 715  
1-2 (In the Senate - Filed February 21, 2013; February 25, 2013,  
1-3 read first time and referred to Committee on Education;  
1-4 March 12, 2013, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 12, 2013, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	Patrick	X		
1-9	Lucio	X		
1-10	Campbell	X		
1-11	Duncan	X		
1-12	Paxton	X		
1-13	Seliger	X		
1-14	Taylor	X		
1-15	Van de Putte	X		
1-16	West	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to use of consistent terminology to refer to school  
1-20 counselors in the Education Code.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subdivision (18), Subsection (b), Section 7.055,  
1-23 Education Code, is amended to read as follows:

1-24 (18) The commissioner shall adopt a recommended  
1-25 appraisal process and criteria on which to appraise the performance  
1-26 of teachers, a recommended appraisal process and criteria on which  
1-27 to appraise the performance of administrators, and a job  
1-28 description and evaluation form for use in evaluating school  
1-29 counselors, as provided by Subchapter H, Chapter 21.

1-30 SECTION 2. Subsection (a), Section 11.252, Education Code,  
1-31 is amended to read as follows:

1-32 (a) Each school district shall have a district improvement  
1-33 plan that is developed, evaluated, and revised annually, in  
1-34 accordance with district policy, by the superintendent with the  
1-35 assistance of the district-level committee established under  
1-36 Section 11.251. The purpose of the district improvement plan is to  
1-37 guide district and campus staff in the improvement of student  
1-38 performance for all student groups in order to attain state  
1-39 standards in respect to the student achievement indicators adopted  
1-40 under Section 39.053. The district improvement plan must include  
1-41 provisions for:

1-42 (1) a comprehensive needs assessment addressing  
1-43 district student performance on the student achievement  
1-44 indicators, and other appropriate measures of performance, that are  
1-45 disaggregated by all student groups served by the district,  
1-46 including categories of ethnicity, socioeconomic status, sex, and  
1-47 populations served by special programs, including students in  
1-48 special education programs under Subchapter A, Chapter 29;

1-49 (2) measurable district performance objectives for  
1-50 all appropriate student achievement indicators for all student  
1-51 populations, including students in special education programs  
1-52 under Subchapter A, Chapter 29, and other measures of student  
1-53 performance that may be identified through the comprehensive needs  
1-54 assessment;

1-55 (3) strategies for improvement of student performance  
1-56 that include:

1-57 (A) instructional methods for addressing the  
1-58 needs of student groups not achieving their full potential;

1-59 (B) methods for addressing the needs of students  
1-60 for special programs, including:

1-61 (i) suicide prevention programs, in

accordance with Subchapter O-1, Chapter 161, Health and Safety Code, which includes a parental or guardian notification procedure;

(ii) conflict resolution programs;

(iii) violence prevention programs; and

(iv) dyslexia treatment programs;

(C) dropout reduction;

(D) integration of technology in instructional and administrative programs;

(E) discipline management;

(F) staff development for professional staff of the district;

(G) career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities; and

(H) accelerated education;

(4) strategies for providing to middle school, junior high school, and high school students, those students' teachers and school counselors, and those students' parents information about:

(A) higher education admissions and financial aid opportunities;

(B) the TEXAS grant program and the Teach for Texas grant program established under Chapter 56;

(C) the need for students to make informed curriculum choices to be prepared for success beyond high school; and

(D) sources of information on higher education admissions and financial aid;

(5) resources needed to implement identified strategies;

(6) staff responsible for ensuring the accomplishment of each strategy;

(7) timelines for ongoing monitoring of the implementation of each improvement strategy;

(8) formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance; and

(9) the policy under Section 38.0041 addressing sexual abuse and other maltreatment of children.

SECTION 3. Section 12.1059, Education Code, is amended to read as follows:

Sec. 12.1059. AGENCY APPROVAL REQUIRED FOR CERTAIN EMPLOYEES. A person may not be employed by or serve as a teacher, librarian, educational aide, administrator, or school counselor for an open-enrollment charter school unless the person has been approved by the agency following a review of the person's national criminal history record information as provided by Section 22.0832.

SECTION 4. Subsections (b), (c), (d), and (e), Section 12.133, Education Code, are amended to read as follows:

(b) Each school year, using state funds received by the charter holder for that purpose under Subsection (d), a charter holder that participated in the program under Chapter 1579, Insurance Code, for the 2005-2006 school year shall provide employees of the charter holder, other than administrators, compensation in the form of annual salaries, incentives, or other compensation determined appropriate by the charter holder that results in an average compensation increase for classroom teachers, full-time librarians, full-time school counselors, and full-time school nurses who are employed by the charter holder and who would be entitled to a minimum salary under Section 21.402 if employed by a school district, in an amount at least equal to \$2,500.

(c) Each school year, using state funds received by the charter holder for that purpose under Subsection (e), a charter holder that did not participate in the program under Chapter 1579, Insurance Code, for the 2005-2006 school year shall provide employees of the charter holder, other than administrators, compensation in the form of annual salaries, incentives, or other compensation determined appropriate by the charter holder that results in an average compensation increase for classroom teachers, full-time librarians, full-time school counselors, and full-time

3-1 school nurses who are employed by the charter holder and who would  
 3-2 be entitled to a minimum salary under Section 21.402 if employed by  
 3-3 a school district, in an amount at least equal to \$2,000.

3-4 (d) Each school year, in addition to any amounts to which a  
 3-5 charter holder is entitled under this chapter, a charter holder  
 3-6 that participated in the program under Chapter 1579, Insurance  
 3-7 Code, for the 2005-2006 school year is entitled to state aid in an  
 3-8 amount, as determined by the commissioner, equal to the product of  
 3-9 \$2,500 multiplied by the number of classroom teachers, full-time  
 3-10 librarians, full-time school counselors, and full-time school  
 3-11 nurses employed by the charter holder at an open-enrollment charter  
 3-12 school.

3-13 (e) Each school year, in addition to any amounts to which a  
 3-14 charter holder is entitled under this chapter, a charter holder  
 3-15 that did not participate in the program under Chapter 1579,  
 3-16 Insurance Code, for the 2005-2006 school year is entitled to state  
 3-17 aid in an amount, as determined by the commissioner, equal to the  
 3-18 product of \$2,000 multiplied by the number of classroom teachers,  
 3-19 full-time librarians, full-time school counselors, and full-time  
 3-20 school nurses employed by the charter holder at an open-enrollment  
 3-21 charter school.

3-22 SECTION 5. Subsection (f), Section 19.007, Education Code,  
 3-23 is amended to read as follows:

3-24 (f) In addition to other amounts received by the district  
 3-25 under this section, the district is entitled to state aid in an  
 3-26 amount equal to the product of \$2,000 multiplied by the number of  
 3-27 classroom teachers, full-time librarians, full-time school  
 3-28 counselors certified under Subchapter B, Chapter 21, and full-time  
 3-29 school nurses who are employed by the district and who would be  
 3-30 entitled to a minimum salary under Section 21.402 if employed by a  
 3-31 school district operating under Chapter 11.

3-32 SECTION 6. Subsections (d-1) and (d-2), Section 19.009,  
 3-33 Education Code, are amended to read as follows:

3-34 (d-1) Each school year, the district shall pay an amount at  
 3-35 least equal to \$2,000 to each classroom teacher, full-time  
 3-36 librarian, full-time school counselor certified under Subchapter  
 3-37 B, Chapter 21, and full-time school nurse who is employed by the  
 3-38 district and who would be entitled to a minimum salary under Section  
 3-39 21.402 if employed by a school district operating under Chapter 11.  
 3-40 A payment under this section is in addition to wages the district  
 3-41 would otherwise pay the employee during the school year.

3-42 (d-2) Beginning with the 2009-2010 school year, the  
 3-43 district shall increase the monthly salary of each classroom  
 3-44 teacher, full-time speech pathologist, full-time librarian,  
 3-45 full-time school counselor certified under Subchapter B, Chapter  
 3-46 21, and full-time school nurse employed by the district by the  
 3-47 greater of:

3-48 (1) \$80; or  
 3-49 (2) the maximum uniform amount that, when combined  
 3-50 with any resulting increases in the amount of contributions made by  
 3-51 the district for social security coverage for the specified  
 3-52 employees or by the district on behalf of the specified employees  
 3-53 under Section 825.405, Government Code, may be provided using an  
 3-54 amount equal to the product of \$60 multiplied by the number of  
 3-55 students in weighted average daily attendance in the district  
 3-56 during the 2009-2010 school year.

3-57 SECTION 7. Subsection (a), Section 21.002, Education Code,  
 3-58 is amended to read as follows:

3-59 (a) A school district shall employ each classroom teacher,  
 3-60 principal, librarian, nurse, or school counselor under:

3-61 (1) a probationary contract, as provided by Subchapter  
 3-62 C;

3-63 (2) a continuing contract, as provided by Subchapter  
 3-64 D; or

3-65 (3) a term contract, as provided by Subchapter E.

3-66 SECTION 8. Subsection (a), Section 21.003, Education Code,  
 3-67 is amended to read as follows:

3-68 (a) A person may not be employed as a teacher, teacher  
 3-69 intern or teacher trainee, librarian, educational aide,

administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.

SECTION 9. Section 21.101, Education Code, is amended to read as follows:

Sec. 21.101. DEFINITION. In this subchapter, "teacher" means a principal, supervisor, classroom teacher, school counselor, or other full-time professional employee who is required to hold a certificate issued under Subchapter B or a nurse. The term does not include a superintendent or a person who is not entitled to a probationary, continuing, or term contract under Section 21.002, an existing contract, or district policy.

SECTION 10. Subdivision (1), Section 21.201, Education Code, is amended to read as follows:

(1) "Teacher" means a superintendent, principal, supervisor, classroom teacher, school counselor, or other full-time professional employee who is required to hold a certificate issued under Subchapter B or a nurse. The term does not include a person who is not entitled to a probationary, continuing, or term contract under Section 21.002, an existing contract, or district policy.

SECTION 11. Subsection (a), Section 21.402, Education Code, as effective until September 1, 2017, is amended to read as follows:

(a) Except as provided by Subsection (f), a school district must pay each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 42.101(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a).

SECTION 12. Subsection (a), Section 21.402, Education Code, as effective September 1, 2017, is amended to read as follows:

(a) Except as provided by Subsection (e-1) or (f), a school district must pay each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 42.101(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a).

SECTION 13. Subsection (c-1), Section 21.402, Education Code, is amended to read as follows:

(c-1) Notwithstanding Subsections (a) and (b), each school district shall pay a monthly salary to each classroom teacher, full-time speech pathologist, full-time librarian, full-time school counselor certified under Subchapter B, and full-time school nurse that is at least equal to the following monthly salary or the monthly salary determined by the commissioner under Subsections (a) and (b), whichever is greater:

Years of

Monthly

	Experience	Salary
5-1	0	2,732
5-2	1	2,791
5-3	2	2,849
5-4	3	2,908
5-5	4	3,032
5-6	5	3,156
5-7	6	3,280
5-8	7	3,395
5-9	8	3,504
5-10	9	3,607
5-11	10	3,704
5-12	11	3,796
5-13	12	3,884
5-14	13	3,965
5-15	14	4,043
5-16	15	4,116
5-17	16	4,186
5-18	17	4,251
5-19	18	4,313
5-20	19	4,372
5-21	20 & Over	4,427

5-22 SECTION 14. Subsections (a) and (c), Section 21.403, Education Code, are amended to read as follows:

5-23 (a) A teacher, librarian, school counselor, or nurse shall  
5-24 advance one step on the minimum salary schedule under Section  
5-25 21.402 for each year of experience as a teacher, librarian, school  
5-26 counselor, or nurse until step 20 is reached.

5-27 (c) The commissioner shall adopt rules for determining the  
5-28 experience for which a teacher, librarian, school counselor, or  
5-29 nurse is to be given credit in placing the teacher, librarian,  
5-30 school counselor, or nurse on the minimum salary schedule. A  
5-31 district shall credit the teacher, librarian, school counselor, or  
5-32 nurse for each year of experience without regard to whether the  
5-33 years are consecutive.

5-34 SECTION 15. Subdivision (2), Subsection (a), Section  
5-35 21.4031, Education Code, is amended to read as follows:

5-36 (2) "Service record" means a school district document  
5-37 that indicates the total years of service provided to the district  
5-38 by a classroom teacher, librarian, school counselor, or nurse.

5-39 SECTION 16. Subsection (b), Section 21.4031, Education  
5-40 Code, is amended to read as follows:

5-41 (b) On request by a classroom teacher, librarian, school  
5-42 counselor, or nurse or by the school district employing one of those  
5-43 individuals, a school district that previously employed the  
5-44 individual shall provide a copy of the individual's service record  
5-45 to the school district employing the individual. The district must  
5-46 provide the copy not later than the 30th day after the later of:

5-47 (1) the date the request is made; or  
5-48 (2) the date of the last day of the individual's  
5-49 service to the district.

5-50 SECTION 17. Subsection (a), Section 22.051, Education Code,  
5-51 is amended to read as follows:

5-52 (a) In this subchapter, "professional employee of a school  
5-53 district" includes:

5-54 (1) a superintendent, principal, teacher, including a  
5-55 substitute teacher, supervisor, social worker, school counselor,  
5-56 nurse, and teacher's aide employed by a school district;

5-57 (2) a teacher employed by a company that contracts  
5-58 with a school district to provide the teacher's services to the  
5-59 district;

5-60 (3) a student in an education preparation program  
5-61 participating in a field experience or internship;

5-62 (4) a school bus driver certified in accordance with  
5-63 standards and qualifications adopted by the Department of Public  
5-64 Safety of the State of Texas;

5-65 (5) a member of the board of trustees of an independent  
5-66 school district; and

5-67 (6) any other person employed by a school district

6-1 whose employment requires certification and the exercise of  
6-2 discretion.

6-3 SECTION 18. Section 26.004, Education Code, is amended to  
6-4 read as follows:

6-5 Sec. 26.004. ACCESS TO STUDENT RECORDS. A parent is  
6-6 entitled to access to all written records of a school district  
6-7 concerning the parent's child, including:

- 6-8 (1) attendance records;
- 6-9 (2) test scores;
- 6-10 (3) grades;
- 6-11 (4) disciplinary records;
- 6-12 (5) counseling records;
- 6-13 (6) psychological records;
- 6-14 (7) applications for admission;
- 6-15 (8) health and immunization information;
- 6-16 (9) teacher and school counselor evaluations; and
- 6-17 (10) reports of behavioral patterns.

6-18 SECTION 19. Subsection (a), Section 28.0212, Education  
6-19 Code, is amended to read as follows:

6-20 (a) A principal shall designate a school [~~guidance~~]  
6-21 counselor, teacher, or other appropriate individual to develop and  
6-22 administer a personal graduation plan for each student enrolled in  
6-23 a junior high, middle, or high school who:

- 6-24 (1) does not perform satisfactorily on an assessment  
6-25 instrument administered under Subchapter B, Chapter 39; or
- 6-26 (2) is not likely to receive a high school diploma  
6-27 before the fifth school year following the student's enrollment in  
6-28 grade level nine, as determined by the district.

6-29 SECTION 20. Subsection (a), Section 28.026, Education Code,  
6-30 is amended to read as follows:

6-31 (a) The board of trustees of a school district shall  
6-32 require each high school in the district to post appropriate  
6-33 signs in each school counselor's office, in each principal's  
6-34 office, and in each administrative building indicating the  
6-35 substance of Section 51.803 regarding automatic college  
6-36 admission. To assist in the dissemination of this information,  
6-37 the school district shall:

6-38 (1) require that each [~~high~~] school counselor and  
6-39 class advisor at a high school be provided a detailed explanation of  
6-40 the substance of Section 51.803;

6-41 (2) provide each district student, at the time the  
6-42 student first registers for one or more classes required for high  
6-43 school graduation, with a written notification of the substance of  
6-44 Section 51.803;

6-45 (3) require that each [~~high~~] school counselor and  
6-46 senior class advisor at a high school explain to eligible students  
6-47 the substance of Section 51.803; and

6-48 (4) not later than the 14th day after the last day of  
6-49 classes for the fall semester or an equivalent date in the case of a  
6-50 school operated on a year-round system under Section 25.084,  
6-51 provide each eligible senior student under Section 51.803 and each  
6-52 student enrolled in the junior year of high school who has a grade  
6-53 point average in the top 10 percent of the student's high school  
6-54 class, and the student's parent or guardian, with a written  
6-55 notification of the student's eligibility with a detailed  
6-56 explanation in plain language of the substance of Section 51.803.

6-57 SECTION 21. Subsection (b), Section 28.054, Education Code,  
6-58 is amended to read as follows:

6-59 (b) To obtain a subsidy under this section, a student must:

6-60 (1) pay the fee for each test or examination for which  
6-61 the student seeks a subsidy; and

6-62 (2) submit to the board through the student's school  
6-63 [~~guidance~~] counselor a written application on a form prescribed by  
6-64 the commissioner demonstrating financial need and the amount of the  
6-65 fee paid by the student for each test or examination.

6-66 SECTION 22. Subsection (e), Section 29.082, Education Code,  
6-67 is amended to read as follows:

6-68 (e) A student who attends at least 90 percent of the program  
6-69 days of a program under this section and who satisfies the

requirements for promotion prescribed by Section 28.021 shall be promoted to the next grade level at the beginning of the next school year unless a parent of the student presents a written request to the school principal that the student not be promoted to the next grade level. As soon as practicable after receiving the request from a parent, the principal shall hold a formal meeting with the student's parent, extended year program teacher, and school counselor. During the meeting, the principal, teacher, or school counselor shall explain the longitudinal statistics on the academic performance of students who are not promoted to the next grade level and provide information on the effect of retention on a student's self-esteem and on the likelihood of a student dropping out of school. After the meeting, the parent may withdraw the request that the student not be promoted to the next grade level. If the parent of a student eligible for promotion under this subsection withdraws the request, the student shall be promoted. If a student is promoted under this subsection, the school district shall continue to use innovative practices to ensure that the student is successful in school in succeeding years.

SECTION 23. Subsection (b), Section 29.911, Education Code, is amended to read as follows:

(b) During the designated week, each middle school, junior high school, and high school shall provide students with comprehensive grade-appropriate information regarding the pursuit of higher education. The information provided must include information regarding:

- (1) higher education options available to students;
- (2) standard admission requirements for institutions of higher education, including:
  - (A) overall high school grade point average;
  - (B) required curriculum;
  - (C) college readiness standards and expectations as determined under Section 28.008; and
  - (D) scores necessary on generally recognized tests or assessment instruments used in admissions determinations, including the Scholastic Assessment Test and the American College Test;

(3) automatic admission of certain students to general academic teaching institutions as provided by Section 51.803; and

(4) financial aid availability and requirements, including the financial aid information provided by school counselors under Section 33.007(b).

SECTION 24. Subsection (a), Section 30.024, Education Code, is amended to read as follows:

(a) In this section, "teacher" means a principal, supervisor, classroom teacher, school counselor, or other full-time professional employee who is required to hold a certificate issued under Subchapter B, Chapter 21, except the term does not include a superintendent or any employee who does not provide direct and regular services to students at the school.

SECTION 25. Subsection (a), Section 30.055, Education Code, is amended to read as follows:

(a) In this section, "teacher" means a principal, supervisor, classroom teacher, school counselor, or other full-time professional employee who is required to hold a certificate issued under Subchapter B, Chapter 21, except the term does not include a superintendent.

SECTION 26. Subsection (b), Section 30.102, Education Code, is amended to read as follows:

(b) A classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, Chapter 21, or full-time school nurse employed by the commission is entitled to receive as a minimum salary the monthly salary specified by Section 21.402. A classroom teacher, full-time librarian, full-time school counselor, or full-time school nurse may be paid, from funds appropriated to the commission, a salary in excess of the minimum specified by that section, but the salary may not exceed the rate of pay for a similar position in the public schools of an adjacent school district.

SECTION 27. The heading to Section 33.002, Education Code, is amended to read as follows:

Sec. 33.002. CERTIFIED SCHOOL COUNSELOR.

SECTION 28. Subsections (b) and (c), Section 33.002, Education Code, are amended to read as follows:

(b) A school district with 500 or more students enrolled in elementary school grades shall employ a school counselor certified under the rules of the State Board for Educator Certification for each elementary school in the district. A school district shall employ at least one school counselor for every 500 elementary school students in the district.

(c) A school district with fewer than 500 students enrolled in elementary school grades shall provide guidance and counseling services to elementary school students by:

(1) employing a part-time school counselor certified under the rules of the State Board for Educator Certification;

(2) employing a part-time teacher certified as a school counselor under the rules of the State Board for Educator Certification; or

(3) entering into a shared services arrangement agreement with one or more school districts to share a school counselor certified under the rules of the State Board for Educator Certification.

SECTION 29. Section 33.005, Education Code, is amended to read as follows:

Sec. 33.005. DEVELOPMENTAL GUIDANCE AND COUNSELING PROGRAMS. A school counselor shall work with the school faculty and staff, students, parents, and the community to plan, implement, and evaluate a developmental guidance and counseling program. The school counselor shall design the program to include:

(1) a guidance curriculum to help students develop their full educational potential, including the student's interests and career objectives;

(2) a responsive services component to intervene on behalf of any student whose immediate personal concerns or problems put the student's continued educational, career, personal, or social development at risk;

(3) an individual planning system to guide a student as the student plans, monitors, and manages the student's own educational, career, personal, and social development; and

(4) system support to support the efforts of teachers, staff, parents, and other members of the community in promoting the educational, career, personal, and social development of students.

SECTION 30. The heading to Section 33.006, Education Code, is amended to read as follows:

Sec. 33.006. SCHOOL COUNSELORS; GENERAL DUTIES.

SECTION 31. Subsection (b), Section 33.006, Education Code, is amended to read as follows:

(b) In addition to a school counselor's responsibility under Subsection (a), the school counselor shall:

(1) participate in planning, implementing, and evaluating a comprehensive developmental guidance program to serve all students and to address the special needs of students:

(A) who are at risk of dropping out of school, becoming substance abusers, participating in gang activity, or committing suicide;

(B) who are in need of modified instructional strategies; or

(C) who are gifted and talented, with emphasis on identifying and serving gifted and talented students who are educationally disadvantaged;

(2) consult with a student's parent or guardian and make referrals as appropriate in consultation with the student's parent or guardian;

(3) consult with school staff, parents, and other community members to help them increase the effectiveness of student education and promote student success;

(4) coordinate people and resources in the school, home, and community;



(5) with the assistance of school staff, interpret standardized test results and other assessment data that help a student make educational and career plans; and

(6) deliver classroom guidance activities or serve as a consultant to teachers conducting lessons based on the school's guidance curriculum.

SECTION 32. Subsections (a) and (b), Section 33.007, Education Code, are amended to read as follows:

(a) Each school counselor at an elementary, middle, or junior high school, including an open-enrollment charter school offering those grades, shall advise students and their parents or guardians regarding the importance of higher education, coursework designed to prepare students for higher education, and financial aid availability and requirements.

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during a student's senior year, a school counselor shall provide information about higher education to the student and the student's parent or guardian. The information must include information regarding:

(1) the importance of higher education;

(2) the advantages of completing the recommended or advanced high school program adopted under Section 28.025(a);

(3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;

(4) financial aid eligibility;

(5) instruction on how to apply for federal financial aid;

(6) the center for financial aid information established under Section 61.0776;

(7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;

(8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56; and

(9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.

SECTION 33. Subsection (a), Section 37.306, Education Code, is amended to read as follows:

(a) At the end of the first semester of a student's placement in an alternative education program under Section 37.304 or 37.305, the school district board of trustees shall convene a committee to review the student's placement in the alternative education program. The committee must be composed of:

(1) a classroom teacher from the campus to which the student would be assigned were the student not placed in an alternative education program;

(2) the student's parole or probation officer or, in the case of a student who does not have a parole or probation officer, a representative of the local juvenile probation department;

(3) an instructor from the alternative education program to which the student is assigned;

(4) a school district designee selected by the board of trustees; and

(5) a school counselor employed by the school district.

SECTION 34. Subsection (c), Section 38.0041, Education Code, is amended to read as follows:

(c) The methods under Subsection (b)(1) for increasing awareness of issues regarding sexual abuse and other maltreatment of children must include training, as provided by this subsection, concerning prevention techniques for and recognition of sexual abuse and all other maltreatment of children. The training:

(1) must be provided, as part of a new employee

orientation, to new school district and open-enrollment charter school educators, including school counselors and coaches, and other district and charter school professional staff members;

(2) may be provided annually to any district or charter school staff member; and

(3) must include training concerning:

(A) factors indicating a child is at risk for sexual abuse or other maltreatment;

(B) likely warning signs indicating a child may be a victim of sexual abuse or other maltreatment;

(C) internal procedures for seeking assistance for a child who is at risk for sexual abuse or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;

(D) techniques for reducing a child's risk of sexual abuse or other maltreatment; and

(E) community organizations that have relevant existing research-based programs that are able to provide training or other education for school district or open-enrollment charter school staff members, students, and parents.

SECTION 35. Subsection (a), Section 51.9355, Education Code, is amended to read as follows:

(a) The governing board of each general academic teaching institution shall establish an office at the institution to assist applicants, potential applicants, ~~[high] school [guidance]~~ counselors at the high school level, and other interested persons requesting assistance relating to:

(1) applying for admission to a bachelor's degree program at the institution;

(2) applying for financial aid offered by or through the institution or by an office or agency of this state or the United States for attendance as an undergraduate student at the institution;

(3) registering for an examination to be taken in connection with admission to a bachelor's degree program at the institution; or

(4) registering for an examination that may be taken to receive undergraduate course credit at the institution or to determine the skill or placement level of an applicant to or student enrolled in a bachelor's degree program at the institution.

SECTION 36. Subsection (b), Section 56.308, Education Code, is amended to read as follows:

(b) Each school district shall:

(1) notify its middle school students, junior high school students, and high school students, those students' teachers and school counselors, and those students' parents of the TEXAS grant and Teach for Texas grant programs, the eligibility requirements of each program, the need for students to make informed curriculum choices to be prepared for success beyond high school, and sources of information on higher education admissions and financial aid in a manner that assists the district in implementing a strategy adopted by the district under Section 11.252(a)(4); and

(2) ensure that each student's official transcript or diploma indicates whether the student has completed or is on schedule to complete:

(A) the recommended or advanced high school curriculum required for grant eligibility under Section 28.002 or 28.025; or

(B) for a school district covered by Section 56.304(f)(1), the required portion of the recommended or advanced high school curriculum in the manner described by Section 56.304(f)(2).

SECTION 37. Subsection (b), Section 56.460, Education Code, is amended to read as follows:

(b) Each school district shall notify its middle school students, junior high school students, and high school students, those students' teachers and school counselors, and those students' parents or guardians of the Texas B-On-time loan program and the

11-1 eligibility requirements of the program.

11-2 SECTION 38. Subsections (c) and (d), Section 61.806,  
11-3 Education Code, are amended to read as follows:

11-4 (c) An eligible entity must make application to the board to  
11-5 receive financial assistance under this subchapter. An application  
11-6 must demonstrate that the program contains the following elements:

11-7 (1) involvement of public school officials, teachers,  
11-8 and school counselors in identifying and selecting students in  
11-9 elementary school for participation in the partnership program  
11-10 during the elementary and secondary school grades;

11-11 (2) criteria for the selection of program participants  
11-12 that include consideration of:

11-13 (A) whether the student has a high risk of  
11-14 dropping out of school as measured by academic performance,  
11-15 attendance, discipline problems, and other factors affecting  
11-16 school performance, including teenage pregnancy or parenting,  
11-17 substance abuse, child abuse or neglect, or limited English  
11-18 proficiency; and

11-19 (B) whether the student is a low-income student  
11-20 as defined by board rule;

11-21 (3) academic and counseling support services for  
11-22 program participants;

11-23 (4) involvement of parents and community volunteers to  
11-24 the extent possible; and

11-25 (5) an evaluation component that includes follow-up  
11-26 relating to the academic performance of program participants during  
11-27 secondary school and the program participants' plans concerning  
11-28 college attendance.

11-29 (d) If financial assistance is awarded to an eligible entity  
11-30 that is not a school district, the application must include a  
11-31 description of the frequency and manner of involvement of the  
11-32 public schools and school personnel, especially teachers and school  
11-33 counselors, with the partnership program.

11-34 SECTION 39. Subsection (d), Section 61.855, Education Code,  
11-35 is amended to read as follows:

11-36 (d) A tech-prep program must:

11-37 (1) be implemented under an articulation agreement  
11-38 between the participants in the consortium;

11-39 (2) consist of two to four years of secondary school  
11-40 preceding graduation and:

11-41 (A) two or more years of higher education; or

11-42 (B) two or more years of apprenticeship following  
11-43 secondary instruction;

11-44 (3) have a common core of required proficiency based  
11-45 on the recommended high school program adopted by the State Board of  
11-46 Education under Section 28.025(a), with proficiencies in  
11-47 mathematics, science, reading, writing, communications, and  
11-48 technologies designed to lead to an associate's degree or  
11-49 postsecondary certificate in a specific career field;

11-50 (4) include the development of tech-prep program  
11-51 curricula for both secondary and postsecondary participants in the  
11-52 consortium that:

11-53 (A) meets academic standards developed by the  
11-54 state;

11-55 (B) links secondary schools and two-year  
11-56 postsecondary institutions, and, if practicable, four-year  
11-57 institutions of higher education through nonduplicative sequences  
11-58 of courses in career fields, including the investigation of  
11-59 opportunities for tech-prep students to enroll concurrently in  
11-60 secondary and postsecondary course work;

11-61 (C) uses, if appropriate and available,  
11-62 work-based or worksite learning in conjunction with business and  
11-63 all aspects of an industry; and

11-64 (D) uses educational technology and distance  
11-65 learning, as appropriate, to involve each consortium participant  
11-66 more fully in the development and operation of programs;

11-67 (5) include in-service training for teachers that:

11-68 (A) is designed to train vocational and technical  
11-69 teachers to effectively implement tech-prep programs;

(B) provides for joint training for teachers in the tech-prep consortium;

(C) is designed to ensure that teachers and administrators stay current with the needs, expectations, and methods of business and of all aspects of an industry;

(D) focuses on training postsecondary education faculty in the use of contextual and applied curricula and instruction; and

(E) provides training in the use and application of technology;

(6) include training programs for school counselors designed to enable school counselors to more effectively:

(A) provide information to students regarding tech-prep programs;

(B) support student progress in completing tech-prep programs;

(C) provide information on related employment opportunities;

(D) ensure that tech-prep students are placed in appropriate employment; and

(E) stay current with the needs, expectations, and methods of business and of all aspects of an industry;

(7) provide equal access to the full range of tech-prep programs for individuals who are members of special populations, including by the development of tech-prep program services appropriate to the needs of special populations; and

(8) provide for preparatory services that assist participants in tech-prep programs.

SECTION 40. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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